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Atty. Dkt. No. 035451-0185 (3731.Palm)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Applicant: Fraser et al.

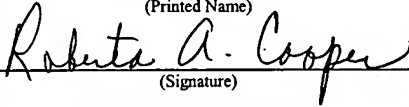
Title: INTERCHANGEABLE DISPLAY
MODULES FOR PORTABLE
HANDHELD DEVICES

Appl. No.: 10/085,310

Filing Date: 2/28/2002

Examiner: Abdulsalam, Abbas I.

Art Unit: 2677

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Transmitted herewith are the following documents for the above-identified application.

[X] Brief On Appeal (38 pages).

[X] Credit Card Payment Form for \$500.00 for Appeal Fee. The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447.

Respectfully submitted,

Date

3/6/2006

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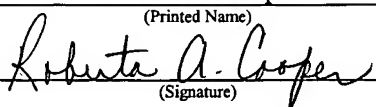
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(Printed Name)	
	
(Signature)	

BRIEF ON APPEAL

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P.O. Box 1450
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Sir:

Under the provisions of 37 C.F.R. § 41.37, this Appeal Brief is being filed together with a credit card payment form in the amount of \$500.00 covering the 37 C.F.R. 41.20(b)(2) appeal fee. If this fee is deemed to be insufficient, authorization is hereby given to charge any deficiency (or credit any balance) to the undersigned deposit account 06-1447.

This paper is being filed in response to the final Office Action dated October 4, 2005 (finally rejecting claims 1-15 and 17-29). The Notice of Appeal was filed on January 4, 2006. Appellants respectfully request favorable reconsideration of the application.

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1. **REAL PARTY IN INTEREST**

The real party in interest is the assignee of record, Palm, Inc. (as recorded in the records of the United States Patent and Trademark Office at Reel/Frame 012657/0053 on February 28, 2002).

2. **RELATED APPEALS AND INTERFERENCES**

A Notice of Appeal was previously filed in this application on November 22, 2004. An Appeal Brief was subsequently filed in this application on January 26, 2004. A non-final Office action reopening prosecution of this application was subsequently mailed on April 20, 2005.

There are no other related appeals or interferences that will directly affect, be directly affected by, or have a bearing on the present appeal, that are known to Appellant or Appellant's patent representative.

3. **STATUS OF CLAIMS**

This is an appeal from the final Office Action dated October 4, 2005, finally rejecting claims 1-15 and 17-29. Claims 1-15 and 17-29 are on appeal.

4. **STATUS OF AMENDMENTS**

Claims 1-15 and 17-29 were pending in the application when a final Office Action dated October 4, 2005 was issued. No claims have been amended in the present application subsequent to the receipt of the final Office Action dated October 4, 2005.

5. **SUMMARY OF CLAIMED SUBJECT MATTER**

Independent claim 1 is directed to a handheld computing device (100). The handheld computing device (100) includes a processing unit (110) having a communication interface (130) (see Specification, pages 5-6, paragraphs [0021]-[0022]; FIGS. 1A-1B), the processing unit (110)

including a first communication interface (130) for communication with a visual display unit (150) (see Specification, pages 6-7, paragraphs [0025]-[0026]; FIGS 1A-1B). The handheld computing device (100) also includes a detachable visual display unit (150), the detachable visual display unit (150) communicatively coupled to the first communication interface (130) by a second communication interface (155) (see Specification, pages 6-7, paragraphs [0026]-[0028]; FIGS. 1A-1B). An identifier indicia is passed by the second communication interface (155) to the processing unit (110) via the first communication interface (130) to indicate to the processing unit (110) the properties of the detachable visual display unit (150) (see Specification, pages 7-8, paragraphs [0029]-[0030]).

Independent claim 15 is directed to a handheld computing (100) device facilitating a detachable visual display unit (150) (see Specification, pages 5-6, paragraph [0021]; FIGS. 1A-1B). The handheld computing device (100) includes a processing unit (110) and a power source (120) (see Specification, pages 5-6, paragraph [0022]; FIG. 1A). The handheld computing device (100) also includes a communication port (130) for communicating with a detachable visual display unit (150) (see Specification, pages 6-7, paragraphs [0025]-[0026]; FIGS 1A-1B), wherein the communication port (130) is capable of receiving information representative of properties of the detachable visual display unit (150) (see Specification, pages 7-8, paragraphs [0028]-[0030]).

Independent claim 22 is directed to a visual display unit (150) for a handheld computing device (100). The visual display unit (150) includes a housing detachable from the handheld computing device (100) and a display screen (see Specification, pages 6-7, paragraph [0021], page 7, paragraphs [0027]-[0028]). The visual display unit (150) also includes a communication interface (155) including an identifier indicia to indicate to a handheld computing device (100) the properties of the visual display unit (150) (see Specification, pages 7-8, paragraphs [0029]-[0030]).

Independent claim 26 is directed to a method (300) of displaying data from a handheld computing device (100). The method includes detecting (320) the properties of a detachable

visual display unit communicatively coupled (310) to the handheld computing device (see Specification, page 10, paragraphs [0039]-[0040]; FIG. 3). The method (300) also includes updating (330) display drivers based on the detachable visual display unit properties detected (see Specification, page 10, paragraph [0041]; FIG. 3). The method (300) also includes transmitting data (340) from the handheld computing device to the communicatively coupled detachable visual display unit (see Specification, page 10, paragraph [0041]; FIG. 3).

6. **GROUND OF REJECTION TO BE REVIEWED ON APPEAL**

The issue on appeal is whether claims 1-15 and 17-29 may properly be rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,590,547 (“Moriconi”).

7. **ARGUMENT**

I. **LEGAL STANDARDS**

All claim rejections at issue in this appeal are made under 35 U.S.C. § 103(a)¹. The legal standards under 35 U.S.C. § 103(a) are well-settled.

Obviousness under 35 U.S.C. § 103(a) is a legal conclusion involving four factual inquiries:

- (1) the scope and content of the prior art;
- (2) the differences between the claims and the prior art;
- (3) the level of ordinary skill in the pertinent art; and
- (4) secondary considerations, if any, of non-obviousness.

¹ “A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.” 35 U.S.C. §103(a).

Litton Systems, Inc. v. Honeywell, Inc., 87 F. 3d 1559, 1567, 39 U.S.P.Q. 2d 1321, 1325 (Fed. Cir. 196). See also Graham v. John Deere Co., 383 U.S. 1, 148 U.S.P.Q. 459 (1966).

In proceedings before the Patent and Trademark Office (PTO), the Examiner bears the burden of establishing a prima facie case of obviousness based upon the prior art. In re Piasecki, 745 F.2d 1468, 1471-72, 223 U.S.P.Q. 785, 787-88 (Fed. Cir. 1984). A prima facie case of obviousness requires that the prior art reference or references teaches or suggests all of the claimed limitations. In re Royka, 490 F.2d 981, 180 U.S.P.Q. 580 (CCPA 1974). “The Examiner can satisfy this burden only by showing some objective teaching in the prior art or that knowledge generally available to one of ordinary skill in the art would lead that individual to combine the relevant teachings of the references. In re Fritch, 972 F.2d 1260 (Fed. Cir. 1992); In re Fine, 837 F.2d 1071, 1074 (Fed. Cir. 1988); In re Lalu, 747 F.2d 703,705, 223 U.S.P.Q. 1257, 1258 (Fed. Cir. 1984); Ashland Oil, Inc. v. Delta Resins & Refractories, Inc., 776 F.2d 281, 297 n.24, 227 U.S.P.Q. 657, 667 n.24 (Fed. Cir. 1985); ACS Hospital Systems, Inc. v. Montefiore Hospital, 782 F.2d 1572, 1577, 221 U.S.P.Q. 929, 933 (Fed. Cir. 1984).

A prior art reference must be considered in its entirety, i.e., as a whole, including portions that would lead away from the claimed invention. See W.L. Gore & Associates, Inc. v. Garlock, Inc., 721 F.2d 1540, 220 U.S.P.Q. 303 (Fed. Cir. 1983). It is improper to combine references where the references teach away from their combination. See In re Grasselli, 713 F.2d 731, 743, 218 U.S.P.Q. 769, 779 (Fed. Cir. 1983). When a reference teaches away from the claimed invention, that teaching is strong evidence of non-obviousness. See U.S. v. Adams, 383 U.S. 39, 148 U.S.P.Q. 79 (1966); In re Royka, 490 F. 2d 981, 180 U.S.P.Q. 580 (CCPA 1974). If the proposed combination of the references would change the principle of operation of the reference being modified, the teachings of the references are not sufficient to render the claims prima facie obvious. See In re Ratti, 270 F.2d 810, 123 U.S.P.Q. 349 (C.C.P.A. 1959). If proposed modification would render the prior art unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification. See In re Gordon, 733 F.2d 900,

221 U.S.P.Q. 1125 (Fed. Cir. 1984). Proceeding contrary to accepted wisdom is evidence of non-obviousness. See In re Hedges, 783 F.2d 1038, 228 U.S.P.Q. 685 (Fed. Cir. 1986).

As noted by the Federal Circuit, the “factual inquiry whether to combine references must be thorough and searching.” McGinley v. Franklin Sports, Inc., 262 F.3d 1339, 60 USPQ.2d 1001 (Fed. Cir. 2001). Further, it “must be based on objective evidence of record.” In re Lee, 277 F.3d 1338, 61 USPQ.2d 1430 (Fed. Cir. 2002). The teaching or suggestion to make the claimed combination must be found in the prior art, and not in the applicant’s disclosure. In re Vaeck, 947 F.2d 488, 20 USPQ.2d 1438 (Fed. Cir. 1991). The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. In re Mills, 916 F.2d 680, 16 USPQ.2d 1430 (Fed. Cir. 1990). “It is improper, in determining whether a person of ordinary skill would have been led to this combination of references, simply to ‘[use] that which the inventor taught against its teacher.’” Lee (citing W.L. Gore v. Garlock, Inc., 721 F.2d 1540, 1553, 220 USPQ 303, 312-13 (Fed. Cir. 1983)).

II. REJECTION OF CLAIMS 1-15 AND 17-29 UNDER 35 U.S.C. § 103(a) BASED ON MORICONI.

In the final Office Action dated October 4, 2005, the Examiner rejected claims 1-15 and 17-29 under 35 U.S.C. § 103(a) as being unpatentable over Moriconi. The Examiner’s rejection of claims 1-15 and 17-29 under 35 U.S.C. § 103(a) based on Moriconi should be reversed because the Examiner has failed to establish a prima facie case of obviousness with regard to claims 1-15 and 17-29. More specifically, for at least the reasons stated below, no proper combination of Moriconi with knowledge generally available to one of ordinary skill in the art teaches or suggests the subject matter of claims 1-15 and 17-29.

A. The Examiner's Rejection of Claims 1-15 and 17-29 Should Be Reversed Because There Is No Suggestion to Combine the Teachings of Moriconi With Knowledge of One of Ordinary Skill in the Art

To establish a prima facie case of obviousness based on a combination of prior art references under 35 U.S.C. § 103(a), the Examiner must first show that there is a suggestion or motivation to combine the teachings of these references. To satisfy this burden, the Examiner must show some objective teaching in the prior art or that knowledge generally available to one of ordinary skill in the art would lead that individual to combine the relevant teachings of the references. In re Fritch, 972 F.2d 1260 (Fed. Cir. 1992). When the motivation to combine the teachings of the references is not immediately apparent, it is the duty of the Examiner to explain why the combination of the teachings is proper. Ex parte Skinner, 2 U.S.P.Q.2d 1788 (Bd. Pat. App. & Inter. 1986). In this case, the Examiner has not established that there would have been motivation or suggestion to combine the teachings of Moriconi with knowledge generally available to one of ordinary skill in the art.

In the final Office Action dated October 4, 2005, the Examiner acknowledged that "Moriconi does not specifically teach the user of handheld computing device." The Examiner further stated, however, that "Moriconi indicates that the notebook computer (11) is applicable for portable computers (col. 1, lines 17-19), and alteration and different arrangement can be made with respect to the notebook computer (11) (col. 6, lines 35-47)." The Examiner concluded that "[i]t would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the notebook computer (11) by altering its dimensional parameters to fit the desired size." The Examiner further asserted in response to Appellants' arguments filed on July 20, 2005 that "[i]t would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the notebook computer (11), which is applicable for portable computers (as taught by Moriconi) by altering its dimensional parameters to fit the desired size; the being that it is well known in the art that portable computers include computers small enough to be carried by hand." Appellants respectfully disagree.

In one of the two passages relied upon by the Examiner to support the above assertions, Moriconi et al. discloses generally that “[t]his invention is in the field of architecture of portable computers, and pertains in particular to apparatus and methods of interfacing removable physical displays to portable computers.” See Moriconi et al., col. 1, lines 17-19. In the other passage relied upon by the Examiner, Moriconi et al. provides general boilerplate language that “many changes may be made in the embodiments of the invention as described above without departing from the spirit and scope of the invention.” Appellants submit that a single broad reference to portable computers in Moriconi et al. coupled with general boilerplate language and an assertion that portable computers include computers small enough to be carried by hand is insufficient to establish any motivation or suggestion to one of skill in the art to combine general knowledge with the teachings of Moriconi et al. to somehow arrive at the subject matter of claim 1, 15, 22, or 26.

Moreover, Appellants note that the specific teachings of Moriconi et al. relate to portable computers “such as notebook and laptop computers.” See Moriconi et al., col. 1, lines 23-24. Appellants have submitted ample support in their previous reply dated March 15, 2004 (a copy of which is provided in the Evidence Appendix) that a “handheld computer” is “a computer that can conveniently be stored in a pocket (of sufficient size) and used while you are holding it” and should not be construed as a laptop or notebook computer. A laptop or notebook computer as disclosed in Moriconi et al., is not one which can conventionally be carried in your pocket.

Further still, it should be appreciated that an applicant may be his or her own lexicographer as long as the meaning assigned to the term is not repugnant to the term’s well known usage. In re Hill, 161 F.2d 367, 73 USPQ 482 (CCPA 1947). Appellants’ specification states at paragraph [0003] “the size of the handheld computing device is generally compact and correspondingly, the visual display is smaller than the size of a standard computer monitor. The small size of the screen allows handheld computing devices to be portable, but less than ideal for viewing complex images of documents. The small size of the screen has necessitated that handheld computing devices focus on displaying abbreviated or simplistic content.” In contrast,

the laptop or notebook computer of Moriconi et al. has a display which is relatively large and could easily be used for viewing complex images of documents, for example. Further, Appellants' specification states at paragraph [0022] that a handheld computer can be "a handheld personal digital assistant (PDA), a wireless mobile phone, a pager, or any such device." All of these devices are approximately the size which could be conveniently carried in your pocket. Thus, it is clear that Appellants have defined the term "handheld computer" within specified constraints which would not include the laptop and notebook computer of Moriconi et al. Accordingly, while Moriconi et al. makes a general reference to "portable computers" and "many changes that may be made," its specific teachings relate only to laptops and notebook computers, and one of ordinary skill in the art would recognize the differences between these devices and handheld computers, and would further recognize that the specific teachings of Moriconi et al. do not necessarily suggest applicability to all portable devices regardless of size.

The Examiner nonetheless asserted in response to Appellants' arguments filed on July 20, 2005 that "[i]t would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the notebook computer (11), which is applicable for portable computers (as taught by Moriconi) by altering its dimensional parameters to fit the desired size; the being that it is well known in the art that portable computers include computers small enough to be carried by hand." The Office Action thus implies that if it is "well known in the art that portable computers include computers small enough to be carried by hand," it is thus equally well known to simply alter physical size parameters of any portable computing device to obtain a desired configuration and scale, and that thus there is no difference between a laptop computer and a handheld computer. There must, however, be some form of evidence in the record to support an assertion of common knowledge. See also In re Zurko, 258 F.3d 1379, 1386, 59 U.S.P.Q.2d 1693, 1697 (Fed. Cir. 2001); In re Lee, 277 F.3d 1338, 1344-45, 61 U.S.P.Q.2d 1430, 1434-35 (Fed. Cir. 2002). However, the Examiner has provided no support for the implication that, despite the above-noted differences between laptops and handheld computers, one of ordinary skill in the art would apply the teachings of Moriconi et al. regarding laptops and notebook computers to arrive at the handheld computer of claim 1, 15, 22, or 26 by making the

laptop smaller based on (1) a general reference in Moriconi et al. to portable computing devices and (2) asserted knowledge that that both laptops and handheld computers are portable.

In an Advisory Action dated December 13, 2005, the Examiner further stated that “[t]his limitation in terms of size is a design choice and is not patentable significant as shown in *In re Rose*, 105 USPQ 237 (CCPA 1955).” However, it is inappropriate to rely on legal precedent to provide the rationale supporting obviousness where the facts are not sufficiently similar to those in the application. See *In re Eli Lilly & Co.*, 902 F.2d 943, 14 U.S.P.Q.2d 1741 (Fed. Cir. 1991). Here, Appellants’ recitation of a handheld computer involves more than mere scaling of size or relative dimensions. In particular, Appellants’ specification describes how the advent of the handheld computer has brought about a need for the subject matter of claims 1, 15, 22, and 26. For example, in pages 1 -3 of the application, paragraphs [0003] to [0008], Appellants provide meaningful reasons for needing the claimed invention, including, but not limited to the fact that handheld computing devices were at the time of the invention, in transition and therefore it would have been beneficial to provide an interchangeable display unit. Further, and possibly more importantly, because the needs of different users of the handheld computing unit may be vastly different due to its extremely small size and extreme portability, there may be a need to interchange displays for a single user or for different users. Therefore, there is a significant reason for Appellants to provide interchangeable display modules for a handheld computing device. As such, Appellants have claimed a handheld computing device in claims 1, 15, 22, and 26.

Because the Examiner has not properly established motivation to combine the teachings of Moriconi et al. with knowledge generally available to one of ordinary skill in the art, the Examiner has failed to establish a proper case of obviousness. Without a proper motivation to combine the teachings of Moriconi et al. with knowledge of one of ordinary skill in the art, it is apparent that hindsight reasoning has been used that relies on Appellants’ own disclosure as a roadmap.

Accordingly, the rejections of claims 1, 15, 22, and 26 under 35 U.S.C. § 103(a) should be reversed. Additionally, claims 2-14 (which depend from claim 1), claims 17-21 (which depend from claim 15), claims 23-25 (which depend from claim 22), and claims 27-29 (which depend from claim 26) are patentable for at least the same reasons as the independent claims from which they depend, the rejection of these claims under 35 U.S.C. § 103(a) should be reversed for at least the same reasons as the independent claims from which they depend. See 35 U.S.C. § 112 ¶ 4.

B. The Examiner's Rejection of Claims 4, 5, 23, and 24 Should Be Reversed Because There Is No Suggestion to Combine the Teachings of Moriconi With Knowledge of One of Ordinary Skill in the Art

Even if the teachings of Moriconi et al. could be properly combined with the knowledge generally available to one of ordinary skill in the art and, claims 4, 5, 23, and 24 still would not have been obvious to one of ordinary skill in the art at the time of the invention for the following additional reasons.

A prima facie case of obviousness requires that the prior art reference or references teaches or suggests all of the claimed limitations. In re Royka, 490 F.2d 981, 180 U.S.P.Q. 580 (CCPA 1974). The combination of Moriconi et al. in view of knowledge of one of ordinary skill in the art does not teach or suggest at least one element of each of claims 4, 5, 23, and 24. Accordingly, the Examiner has failed to establish a prima facie case of obviousness, and the rejection of claims 4, 5, 23, and 24 should be reversed.

With regard to claims 4, 5, 23, and 24, Moriconi et al. does not disclose, teach, or suggest a flexible, expandable, or foldable display. The need for a flexible, expandable, or foldable display is a unique need for a handheld computing device. In fact, the teachings of Moriconi et al. of a laptop or notebook computer, provide no advantage for a expandable, flexible, or foldable display, because the laptop or notebook computer of Moriconi et al. is already a large enough size for a typical user and therefore an expandable or foldable display is not required. Moriconi et al., as the Examiner indicated, teaches the use of a variety of displays, but Moriconi et al.

never contemplated a flexible and expandable display as recited in Appellants' claims because a larger display was not needed by users of the laptop or notebook computers of Moriconi et al. Because Moriconi et al. does not disclose, teach, or suggest a flexible, expandable, or foldable display, the rejection of claims 4, 5, 23, and 24 under 35 U.S.C. § 103(a) should be reversed.

C. The Examiner's Rejection of Claims 2, 20, and 21 Should Be Reversed Because There Is No Suggestion to Combine the Teachings of Moriconi With Knowledge of One of Ordinary Skill in the Art

Even if the teachings of Moriconi et al. could be properly combined with the knowledge generally available to one of ordinary skill in the art and, claims 2, 20, and 21 still would not have been obvious to one of ordinary skill in the art at the time of the invention for at least the following additional reasons.

A prima facie case of obviousness requires that the prior art reference or references teaches or suggests all of the claimed limitations. In re Royka, 490 F.2d 981, 180 U.S.P.Q. 580 (CCPA 1974). The combination of Moriconi et al. in view of knowledge of one of ordinary skill in the art does not teach or suggest at least one element of each of claims 2, 20, and 21. Accordingly, the Examiner has failed to establish a prima facie case of obviousness, and the rejection of claims 2, 20, and 21 should be reversed.

In the final Office Action dated October 4, 2005, the Examiner stated that "Moriconi teaches the first communication interface includes a wireless communication interface (col. 4, lines 57-59, Fig. 2 (39), and Fig 4 (40, 39))." Moriconi et al. does not, however, teach the use of wireless connections for the display device. Moriconi et al. discloses that "a display board 41 is incorporated into the computer with connection to the system parallel bus 52, and having output to 40-pin connector 39 along path 40." See Moriconi et al., col. 4, lines 59-61. What is taught in Moriconi et al. is that the display is coupled to and supported by the housing of the laptop or notebook computer and therefore there is no need for a wireless connection. Moriconi et al. never contemplated a wireless connection between the display unit and the laptop or notebook computer main unit because Moriconi et al. did not foresee a need for a wireless connection. In

contrast, Appellants contemplate that the display device may be used not only while attached to the handheld computing device, but also while being separated from the handheld computing device. See, e.g., Specification, pages 6-7, paragraph [0026]. Appellants contemplate that there may exist a wireless connection between the handheld computing device providing advantages which were not contemplated by Moriconi et al.

Although Moriconi et al. does not teach the use of wireless connections for the display device (and indeed does not contemplate a need for such connection) the Examiner has simply asserted that “[i]t would have been obvious that the connector (39) for communication can be replaced with any other appropriate type.” There must, however, be some form of evidence in the record to support an assertion of common knowledge. See also In re Zurko, 258 F.3d 1379, 1386, 59 U.S.P.Q.2d 1693, 1697 (Fed. Cir. 2001); In re Lee, 277 F.3d 1338, 1344-45, 61 U.S.P.Q.2d 1430, 1434-35 (Fed. Cir. 2002). Here, the Examiner has provided no support for the assertion that the connector of Moriconi et al. could simply be replaced with a wireless communication interface. Accordingly, the Examiner’s rejection of claims 2, 20, and 21 should be reversed because at least one element of claims 2, 20, and 21 is not taught or suggested by any proper combination of knowledge of one of ordinary skill in the art and Moriconi et al.

8. **CONCLUSION**

In view of the foregoing, Appellants submit that claims 1-15 and 17-29 are not properly rejected under 35 U.S.C. § 103(a) as being unpatentable over Moriconi. Accordingly, Appellants respectfully request that the Board reverse all claim rejections and indicate that a notice of allowance respecting all pending claims should be issued.

Respectfully submitted,

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CLAIMS APPENDIX

1. A handheld computing device comprising:
a processing unit having a communication interface, the processing unit including
a first communication interface for communication with a visual display unit; and
a detachable visual display unit, the detachable visual display unit
communicatively coupled to the first communication interface by a second communication
interface;
wherein an identifier indicia is passed by the second communication interface to
the processing unit via the first communication interface to indicate to the processing unit the
properties of the detachable visual display unit.
2. The handheld computing device of claim 1, wherein the first communication
interface includes a wireless communication interface.
3. The handheld computing device of claim 1 wherein the detachable visual display
unit includes a flat, rigid display.
4. The handheld computing device of claim 1 wherein the detachable visual display
unit includes a flexible display.
5. The handheld computing device of claim 1, wherein the detachable visual display
unit is expandable.

6. The handheld computing device of claim 1, wherein the detachable visual display unit includes a cathode ray tube display.

7. The handheld computing device of claim 1, wherein the detachable visual display unit includes a LCD screen.

8. The handheld computing device of claim 1, wherein the detachable visual display unit includes an electronic whiteboard.

9. The handheld computing device of claim 1, wherein the detachable visual display unit is ruggedized.

10. The handheld computing device of claim 1, wherein the detachable visual display unit is weather protected.

11. The handheld computing device of claim 1, wherein the detachable visual display unit includes a backlit display.

12. The handheld computing device of claim 1, wherein the detachable visual display unit includes a reflective display.

13. The handheld computing device of claim 1, wherein the detachable visual display unit includes a monochrome display.

14. The handheld computing device of claim 1, wherein the detachable visual display unit includes a color display.

15. A handheld computing device facilitating a detachable visual display unit comprising:

- a processing unit;
- a power source;
- a communication port for communicating with a detachable visual display unit,

wherein the communication port is capable of receiving information representative of properties of the detachable visual display unit.

17. The handheld computing device of claim 15, wherein the communication port receives information representative of the detachable visual display unit properties based on at least one identifier pin associated with the detachable visual display unit.

18. The handheld computing device of claim 15, wherein the communication port receives information representative of the detachable visual display unit properties based on an identifier signal transmitted by the detachable visual display unit.

19. The handheld computing device of claim 15, wherein the processing unit includes a plurality of display drivers utilized based on the information representative of the properties of the detachable visual display unit.

20. The handheld computing device of claim 15, wherein the communication port includes a wireless transceiver.

21. The handheld computing device of claim 20, wherein the wireless transceiver communicates using the Bluetooth wireless network protocol.

22. A visual display unit for a handheld computing device, the visual display unit comprising:

a housing detachable from the handheld computing device;

a display screen; and

a communication interface including an identifier indicia to indicate to a handheld computing device the properties of the visual display unit.

23. The visual display unit of claim 22, wherein the visual display unit is foldable to present a larger or smaller display screen.

24. The visual display unit of claim 23, wherein the visual display unit includes an apparatus to anchor the visual display unit to the handheld computing device.

25. The visual display unit of claim 22, wherein the display screen is color.

26. A method of displaying data from a handheld computing device, comprising:
detecting the properties of a detachable visual display unit communicatively coupled to the handheld computing device;

updating display drivers based on the detachable visual display unit properties detected; and

transmitting data from the handheld computing device to the communicatively coupled detachable visual display unit.

27. The method of claim 26, wherein detecting the properties of a detachable visual display unit includes receiving a signal transmitted by the detachable visual display unit.

28. The method of claim 26, further comprising:
bringing the detachable visual display unit into communication with the handheld computer device.

29. The method of claim 28, further comprising:
detaching the detachable visual display unit from the handheld computing device.

EVIDENCE APPENDIX

Attached hereto is a copy of an Amendment and Reply Under 37 C.F.R. 1.111 filed via facsimile transmission on March 15, 2004 and considered by the Examiner in a Final Office Action mailed June 1, 2004.



Atty. Dkt. No. 035451-0185 (3731.Palm)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Fraser et al.

Title: INTERCHANGEABLE DISPLAY
MODULES FOR PORTABLE
HANDHELD DEVICES

Appl. No.: 10/085,310

Filing Date: 02/28/2002

Examiner: Abbas Abdulsalam

Art Unit: 2674

<p>CERTIFICATE OF FACSIMILE TRANSMISSION</p> <p>I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below.</p> <p><u>Beverly Hopkins</u> (Printed Name)</p> <p><u>Beverly Hopkins</u> (Signature)</p> <p><u>March 15, 2004</u> (Date of Deposit)</p>
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AMENDMENT AND REPLY UNDER 37 CFR 1.111

Mail Stop NON-FEE AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

This communication is responsive to the Non-Final Office Action dated December 15, 2003, concerning the above-referenced patent application.

Amendments to the Specification are reflected on page 2 of this document.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this document.

Remarks/Arguments begin on page 7 of this document.

Please amend the application as follows:

Amendments to the Specification:

Please replace paragraph [0001] on page 1 with the following replacement paragraph.

[0001] The present application is related to U.S. Patent Application No. 10/085,945, ~~Atty Dkt. No. 035451-0174~~, entitled DETACHABLE EXPANDABLE FLEXIBLE DISPLAY, and U.S. Patent Application No. 10/085,924, ~~Atty Dkt. No. 035451-0178~~, entitled WIRELESS DETACHABLE DISPLAY, both of which are filed on the same day herewith and assigned to the same assignee as the present application and are both herein incorporated by reference.

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Original) A handheld computing device comprising:
a processing unit having a communication interface, the processing unit including
a first communication interface for communication with a visual display unit; and
a detachable visual display unit, the detachable visual display unit
communicatively coupled to the first communication interface by a second communication
interface;
wherein an identifier indicia is passed by the second communication interface to
the processing unit via the first communication interface to indicate to the processing unit the
properties of the detachable visual display unit.
2. (Original) The handheld computing device of claim 1, wherein the first
communication interface includes a wireless communication interface.
3. (Original) The handheld computing device of claim 1 wherein the detachable
visual display unit includes a flat, rigid display.
4. (Original) The handheld computing device of claim 1 wherein the detachable
visual display unit includes a flexible display.
5. (Original) The handheld computing device of claim 1, wherein the detachable
visual display unit is expandable.
6. (Original) The handheld computing device of claim 1, wherein the detachable
visual display unit includes a cathode ray tube display.

7. (Original) The handheld computing device of claim 1, wherein the detachable visual display unit includes a LCD screen.

8. (Original) The handheld computing device of claim 1, wherein the detachable visual display unit includes an electronic whiteboard.

9. (Original) The handheld computing device of claim 1, wherein the detachable visual display unit is ruggedized.

10. (Original) The handheld computing device of claim 1, wherein the detachable visual display unit is weather protected.

11. (Original) The handheld computing device of claim 1, wherein the detachable visual display unit includes a backlit display.

12. (Original) The handheld computing device of claim 1, wherein the detachable visual display unit includes a reflective display.

13. (Original) The handheld computing device of claim 1, wherein the detachable visual display unit includes a monochrome display.

14. (Original) The handheld computing device of claim 1, wherein the detachable visual display unit includes a color display.

15. (Currently Amended) A handheld computing device facilitating a detachable visual display unit comprising:
a processing unit;
a power source;
a communication port for communicating with a detachable visual display unit,
wherein the communication port is capable of receiving information representative of properties of the detachable visual display unit.

16. (Cancelled).

17. (Currently Amended) The handheld computing device of claim ~~16~~15, wherein the communication port receives information representative of the detachable visual display unit properties based on at least one identifier pin associated with the detachable visual display unit.

18. (Currently Amended) The handheld computing device of claim ~~16~~15, wherein the communication port receives information representative of the detachable visual display unit properties based on an identifier signal transmitted by the detachable visual display unit.

19. (Original) The handheld computing device of claim 15, wherein the processing unit includes a plurality of display drivers utilized based on the information representative of the properties of the detachable visual display unit.

20. (Original) The handheld computing device of claim 15, wherein the communication port includes a wireless transceiver.

21. (Original) The handheld computing device of claim 20, wherein the wireless transceiver communicates using the Bluetooth wireless network protocol.

22. (Original) A visual display unit for a handheld computing device, the visual display unit comprising:
a housing detachable from the handheld computing device;
a display screen; and
a communication interface including an identifier indicia to indicate to a handheld computing device the properties of the visual display unit.

23. (Original) The visual display unit of claim 22, wherein the visual display unit is foldable to present a larger or smaller display screen.

24. (Original) The visual display unit of claim 23, wherein the visual display unit includes an apparatus to anchor the visual display unit to the handheld computing device.

25. (Original) The visual display unit of claim 22, wherein the display screen is color.
26. (Original) A method of displaying data from a handheld computing device, comprising:
detecting the properties of a detachable visual display unit communicatively coupled to the handheld computing device;
updating display drivers based on the detachable visual display unit properties detected; and
transmitting data from the handheld computing device to the communicatively coupled detachable visual display unit.
27. (Original) The method of claim 26, wherein detecting the properties of a detachable visual display unit includes receiving a signal transmitted by the detachable visual display unit.
28. (Original) The method of claim 26, further comprising:
bringing the detachable visual display unit into communication with the handheld computer device.
29. (Original) The method of claim 28, further comprising:
detaching the detachable visual display unit from the handheld computing device.

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

In the specification, Applicants have amended paragraph [0001] to include application serial numbers of related applications.

Claim 16 is requested to be cancelled without prejudice.

Claims 15, 17 and 18 are currently being amended.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-15, 17-29 are now pending in this application.

Claim Rejections - 35 U.S.C. § 103

In Section 1 of the Office Action, the Examiner rejected claims 1-14 and 22-29 under 35 U.S.C. § 103(a) as being unpatentable over Meyerson et al. (U.S. Patent No. 5,579,487). Applicants first remark that the Meyerson et al. patent is not applicable in that it discloses a work slate computer, whereas what Applicants' have claimed is a "handheld computing device" in independent claims 1, 22 and 26. The recitation of a "handheld computer" should be construed more narrowly than including a work slate computer as construed by the Examiner. Terms of the claims should be given their plain meaning. Here, Applicants are concerned with the construction of the words "handheld computer" by the Examiner. The Examiner has construed the work slate computer which is disclosed in Meyerson et al. as a handheld computer. Applicants, however, disagree. In response, Applicants submit as Exhibit A (attached hereto) a

printout from the website dictionary.com which indicates that a “handheld computer” is “a computer small enough to be carried in your pocket.” A work slate computer as disclosed in Meyerson et al., is not one which can conventionally be carried in your pocket. Applicants also submit as Exhibit B (attached), an alternative definition of the term “handheld” as it refers to computers. Exhibit B comes from the website SearchMobileComputing.com. The site describes a handheld computer as “a computer that can conveniently be stored in a pocket (of sufficient size) and used while you are holding it.” Thus, it is clear that the plain meaning of “handheld computer” should not be construed to include work slate computers, as the Examiner has suggested. Further still, it should be appreciated that the Applicant may be his or her own lexicographer as long as the meaning assigned to the term is not repugnant to the terms’ well known usage. In re Hill, 161 F.2d 367, 73 USPQ 482 (CCPA 1947). Accordingly, Applicants refer the Examiner to the specification which states at paragraph [0003] “the size of the handheld computing device is generally compact and correspondingly, the visual display is smaller than the size of a standard computer monitor. The small size of the screen allows handheld computing devices to be portable, but less than ideal for viewing complex images of documents. The small size of the screen has necessitated that handheld computing devices focus on displaying abbreviated or simplistic content.” In contrast, the work slate computer of Meyerson et al. has a display which is relatively large and could easily be used for viewing complex images of documents, e.g. Further, Applicants refer the Examiner to paragraph [0022] which states that a handheld computer can be “a handheld personal digital assistant (PDA), a wireless mobile phone, a pager, or any such device.” As is well known, all of these devices are approximately the size which could be conveniently carried in your pocket. Thus, it is clear that the Applicants have defined the term “handheld computer” within specified constraints which would not include the work slate computer of Meyerson et al. Work slate computers, such as those disclosed in Meyerson et al. conventionally do not fit in a pocket. Thus, for these reasons, the Meyerson et al. patent is not applicable.

Further, in regard to independent claims 1, 22, and 26, the Examiner indicates that the properties of the detachable visual display unit are communicated to the handheld computing

device processor. The Examiner indicates that each removable module of Meyerson et al. includes some provision for enabling the type to be identified. The disclosure of Meyerson et al. does not, however, disclose, teach, or suggest that the particular properties of the display unit are provided by the display unit to the processor. This is of particular relevance in that not only is the specific type of display used, but the properties of the display that are vitally important. For example, "visual display unit 150 may include a serial/memory device that stores the display characteristics, including, but not limited to, display size, resolution, type, timings, and other settings. See, e.g., paragraph [0030]. This is very important in that one may simply swap, e.g., a monochrome display for a color high resolution display which has certain properties. If the properties are not communicated to the handheld device, then it is necessary that the handheld device retain a database of properties associated with different types of displays. However, this is inconvenient in a case that the display being coupled to the handheld device was not available when the handheld device was first manufactured and therefore the database would need to be updated for each new display coming to market. For example, this may happen when a user seeks to upgrade a display. See, e.g., paragraph [0007].

Accordingly, for the reasons provided above, Applicants respectfully submit that independent claims 1, 22, and 26, and their respective dependent claims are allowable.

Additionally, Applicants add that in dependent claim 2, Applicants claimed a wireless communication interface between the detachable visual display unit and the processing unit. The Examiner states that this limitation is taught in Meyerson et al. in col. 10, lines 17-20. However, Applicants disagree because what is taught in Meyerson et al. is a wireless interface for the docking positions which are for external attachments or removable modules, not for the display unit 64a. Applicants read col. 10, lines 17-20 as disclosing an interface for auxiliary modules or external attachments, not for frontal display 64a. Accordingly, dependent claim 2 is not obvious under Meyerson et al.

With regard to independent claim 4, Applicants disagree that a flexible display is taught by Meyerson et al. Applicants describe a flexible display unit which may have flexible

characteristics such as an e-paper or bi-stable type of display (See e.g., paragraph [0027]). The sheet unit 64a is described as planar, but no where is it described or should sheet unit 64a be seen as flexible. Sheet unit 64a is described as an LCD device, not a flexible display device as taught by Applicants. Accordingly, dependent claim 4 is therefore allowable and it is not obvious in view of Meyerson et al.

With regard to dependent claim 5, Applicants respectfully submit that Meyerson et al. does not teach the use of a detachable visual display unit that is expandable. This is simply a feature that is not disclosed in Meyerson et al. and is clearly shown in Applicants' FIGURE 2. Accordingly, dependent claim 5 is not obvious in view of Meyerson et al. and therefore is allowable.

With regard to dependent claims 8-13, all of these claims are directed to the type of visual display unit being used. None of the types recited in any of claims 8-13 have been disclosed in Meyerson et al. Accordingly, Meyerson et al. does not disclose, teach, or suggest the use of such visual display units as conceived by Applicants. Therefore, dependent claims 8-13 are allowable over Meyerson et al.

Claim Rejections - 35 U.S.C. § 102

In Section 2 of the Office Action, the Examiner rejected claims 15-21 under 35 U.S.C. § 102(b) as being anticipated by Meyerson et al. Applicants have amended independent claim 15 to recite that "the communication port is capable of receiving information representative of properties of the detachable visual display unit." Applicants respectfully submit that in light of the amendment to claim 15, claim 15 should be allowed in view of the rationale provided with regard to independent claim 1 above. Thus, claim 15 and its dependent claims are allowable.

* * * * *

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 06-1447.

Respectfully submitted,

Date March 15, 2004

By Alistair K. Chan

FOLEY & LARDNER LLP

Customer Number: 26371.

Telephone: (414) 297-5730

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Alistair K. Chan

Attorney for Applicants

Registration No. 44,603

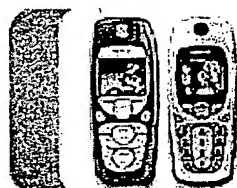


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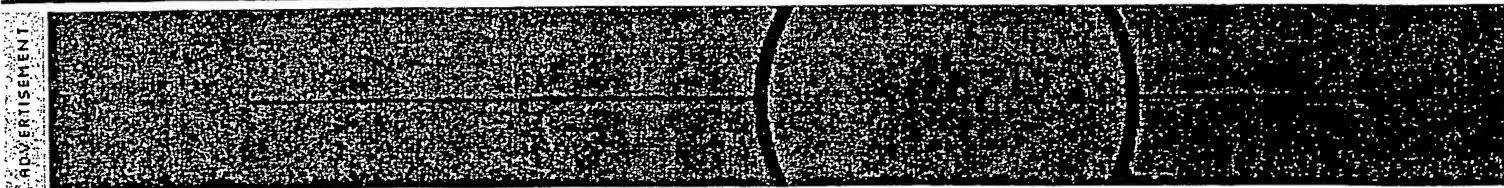
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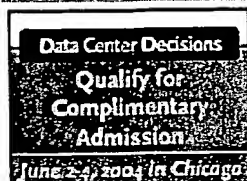
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A handheld computer is a computer that can conveniently be stored in a pocket (of sufficient size) and used while you're holding it. Today's handheld computers, which are also called personal digital assistants (PDAs), can be divided into those that accept handwriting as input and those with small keyboards. The original handheld that accepted handwriting was Apple's Newton,

which was later withdrawn from the market. Today, the most popular handheld that accepts handwritten input is the PalmPilot from 3Com. Philips, Casio, NEC, Compaq, and other companies make handhelds with small keyboards.

[Windows CE](#) and [EPOC](#) are two of the most widely used [operating systems](#) in handheld computers.

Handheld computers are typically used for personal information manager (PIM) types of applications: maintaining schedules, keeping names and phone numbers, doing simple calculations, taking notes, and, with a modem, exchanging e-mail and getting information from the Web. Keyboards have tiny keys that take getting used to. Those that handle handwriting also impose constraints and require some learning. Nevertheless, this class of computer is widely sold and appreciated by many users.

Hewlett-Packard has recently introduced the first handheld computer with a color display. A number of companies now combine voice and data telephone service using [cellular telephone](#) or other [wireless](#) technologies with the handheld computer in a single device.

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